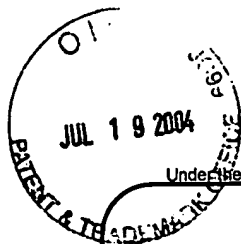


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RCE/1725  
ZFW

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PTO/SB/38 (09-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number 09/924,571

Filing Date August 7, 2001

First Named Inventor Kenneth C. Goretta

Art Unit 1725

Examiner Name Len Tran

Attorney Docket Number 0003/00950

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

- b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

- a. ☒ Deposit Account No. 501709

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

- b. ☒ Check in the amount of \$ 440.00 enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michael J. Cherskov	Registration No. (Attorney/Agent)	33,664
Signature		Date	July 19, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Michael J. Cherskov
Signature	
Date	July 19, 2004

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Goretta, et al.  
Title: "JOINING OF ADVANCED MATERIALS BY PLASTIC DEFORMATION"  
Serial No.: 09/924,571  
Filing Date: August 7, 2001  
Examiner: Len Tran  
Art Unit: 1725  
Atty. Docket: 0003/00950

CERTIFICATE OF EXPRESS MAILING: I hereby certify that this correspondence is being deposited with the United States Postal service as Express Mail # ER605187140US in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450 on July 19, 2004

(Date of Deposit)

Kimwanza S. Buford

Name of Representative

Kimwanza S. Buford  
Signature

July 19, 2004  
Date of Signature

Mail Stop RCE  
Commissioner for Patents  
Alexandria, VA 22313-1450

20 N. Wacker Drive  
Chicago, IL 60606  
(312)-621-1330

AMENDMENT TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated as shown below:

	Claims Left After Amendment	Highest No. Already Paid for	Extra	PresentAdd'L Rate	Fee
Claims	13	24	0	\$09	\$00
Independent Claims	2	3	0	\$42	<u>\$00</u>
Total additional fee for this Amendment:					\$0

Also enclosed herewith is the following:

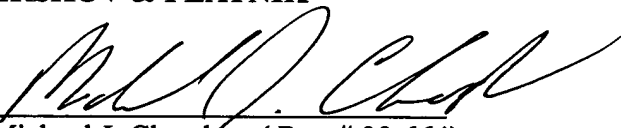
An eight page Amendment;	
Three sheets of Amendment to the Claims;	
Four sheets of Remarks/Arguments;	
Request For Continued Examination (RCE);	\$385
Fee Transmittal;	
One-month Extension of Time fee;	\$55
Return-receipt postcard.	
TOTAL	\$440.00

The Commissioner of Patents and Trademarks is hereby authorized to charge any additional fee required under 37 CFR 1.16 and 1.17 or credit any over payments to the PTO Deposit Account of Cherskov and Flaynik number 501709.

Respectfully Submitted,

**CHERSKOV & FLAYNIK**

BY:

  
Michael J. Cherskov ( Reg # 33,664)



PATENT

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Goretta, et al.  
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Kimwanza S. Buford  
Name of Representative Signature Date of Signature

Mail Stop RCE  
Commissioner for Patents  
Arlington, VA 22313-1450

20 N. Wacker Drive  
Chicago, IL 60606  
312-621-1330

**AMENDMENT TO REPLACE UNENTERED AMENDMENT**  
**DATED MAY 10, 2004**

Dear Sir:

The Applicants sincerely appreciate the courtesy extended by the Examiner during the July 1, 2004 telephone conversation with the undersigned. In response to that discussion and the June 17, 2004 Advisory Action, Applicants request that the previously submitted Amendment (dated May 10, 2004) NOT BE ENTERED. Instead, entry of the accompanying amendment to the claims and consideration of the following remarks is respectfully requested:

**Amendments to the claims** begin on page two of this paper.

**Remarks/Arguments** begin on page five of this paper.